

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|--------------------------------|---|----------------------------|
| PATRICIA SCHWEND, <i>n/k/a</i> |) | |
| PATRICIA SCHWEND-McCUMMISKEY, |) | |
| |) | |
| Plaintiff, |) | Case No. 4:10-cv-01590-CDP |
| vs. |) | |
| |) | |
| US BANK, N.A., et al. |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS' CONSENT MOTION FOR ADDITIONAL TIME
TO SUBMIT A NEW PROPOSED JOINT SCHEDULING PLAN**

Defendants US Bank, N.A., Wells Fargo Home Mortgage¹, d/b/a America's Servicing Company, and Wachovia Bank, N.A. (collectively "Defendants"), by and through their counsel, Bryan Cave LLP, hereby move for the entry of an Order extending the November 4, 2011 deadline for the Parties to submit a new proposed joint scheduling plan an additional seven (7) days, up to and including November 11, 2011. In support of their motion, Defendants state as follows:

1. On October 24, 2011, this Court issued an Order granting Plaintiff Patricia Schwend-McCummiskey's ("Plaintiff") Motion to Amend the Complaint into a Class Complaint and requiring the Parties to submit a new proposed joint scheduling plan no later than November 4, 2011.
2. Since the entry of the Order on October 24, 2011, the Parties have been working together towards a mutually agreeable proposed joint scheduling plan. However, the Parties need additional time to finalize the deadlines to be submitted in the proposed joint scheduling plan. Accordingly, Defendants request an additional seven (7) days, up to and including November 11, 2011, to finalize the deadlines to be submitted in the proposed joint scheduling plan.

¹ Wells Fargo Home Mortgage does not operate as a separate entity. Rather, Wells Fargo Home Mortgage operates as a division of Wells Fargo Bank, N.A. For purposes of this action Wells Fargo Bank, N.A. is the real party of interest.

3. Defendants' counsel has spoken with Plaintiff's counsel regarding the deadline to submit a new proposed joint scheduling plan and he has consented to the extension of the deadline to submit a new proposed joint scheduling plan.

WHEREFORE, Defendants respectfully request that this Court issue an Order extending the November 4, 2011 deadline to submit a new proposed joint scheduling plan an additional seven (7) days, up to and including November 11, 2011, and further relief as this Court deems just and proper.

Respectfully submitted,

BRYAN CAVE, LLP

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Attorneys for Defendants US Bank, N.A. and Wells Fargo Home Mortgage, d/b/a America's Servicing Company, and Wachovia Bank, N.A.

CERTIFICATE OF SERVICE

I, hereby certify that on November 3, 2011, the foregoing was filed electronically with the Clerk of Court to be served to the following by operation of the Court's electronic filing system:

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